

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In re:

Fraleg Group, Inc.,

Case No. 22-41410-jmm

Debtor.

Chapter 11

DECLARATION OF MORGAN FIANDER

I, Morgan C. Fiander, Esq., hereby declare as follows:

1. My name is Morgan Fiander. I am over twenty-one (21) years of age, am admitted to practice in this Court, and in all respects qualified to make this Declaration. I am an associate with the law firm of Polsinelli PC, counsel for secured creditor CAF Borrower GS LLC (“**Lender**”). In that capacity, I am familiar with the facts and events described herein. I make this Declaration based on my personal knowledge and my review of the file kept by Polsinelli PC. I am admitted to practice law in this Court and am also admitted to practice in the Courts of the State of New Jersey, bar number 239812017.

2. A Foreclosure Judgment was entered against Fraleg by the Superior Court of New Jersey, Chancery Division, in favor of Lender, on April 26, 2021. A true and correct copy of the Foreclosure Judgment is attached hereto as **Exhibit 1**.

3. Fraleg used its two permitted statutory adjournments of the Sheriff’s Sale of the Property, and thereafter filed its first bankruptcy case, Case No. 1:21-42322 on September 14, 2021.

4. Fraleg filed its second bankruptcy, the instant matter, on June 17, 2022, just days before the *fourth* scheduled Sheriff’s Sale of the Property.

5. Lender did not obtain a judgment on the Note or commence an action on the Note prior to Fraleg I.

6. Lender did not obtain a judgment on the Note or commence an action on the Note in the interlude between Fraleg I and Fraleg II, and there is no action pending on the Note.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED this 6th day of October, 2022

/s/ Morgan C. Fiander
Morgan C. Fiander